

Before the
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of GTE Corporation, Transferor,)	
And Bell Atlantic Corporation, Transferee,)	CC Docket No. 98-184
For Consent to Transfer of Control)	
)	
In the Matter of NYNEX Corporation,)	File No. NSD-L-96-10
Transferor, And Bell Atlantic Corporation,)	
Transferee, For Consent to Transfer of Control)	

COMMENTS OF MCI WORLDCOM, INC.

Pursuant to the Public Notice released on March 30, 2001, (DA 01-810) ("Notice"), WORLDCOM, Inc. ("WorldCom") hereby submits its comments concerning the request of Verizon Communications, Inc.'s ("Verizon")¹ request to cease its provision of Performance Monitoring Reports ("PMRs") pursuant to Appendix C of the Bell Atlantic/NYNEX Merger Order prior to the sunset on August 14, 2001.² Verizon asserts that the Carrier-to-Carrier Performance Assurance Plan of the Bell Atlantic/GTE Merger Order³ replace and improve on the PMRs in the Bell Atlantic/NYNEX Merger Order.

¹ Verizon made this request in a letter dated March 8, 2001 to Ms. Dorothy Attwood, Chief – Common Carrier Bureau, FCC, from Gordon R. Evans, Vice President, Federal Regulatory, Verizon, Inc. ("Verizon Letter").

² Memorandum Opinion and Order, *In the Applications of NYNEX Corp. Transferor, and Bell Atlantic Corp. Transferee, For Consent to Transfer Control of NYNEX Corp. and Its Subsidiaries*, 12 F.C.C.R. 19985, Appendix C, (1997) ("Bell Atlantic/NYNEX Merger Order").

³ Memorandum Opinion and Order, *In re Application of GTE Corporation, Transferor, and Bell Atlantic Corporation, Transferee, For Consent to Transfer Control of Domestic and International Sections 214 and 310 Authorizations and Application to Transfer Control of a Submarine Cable Landing License*, in CC Docket No. 98-184 (June 16, 2000) ("Bell Atlantic/GTE Merger Order"), Appendix D, para. 16 and Attachment A ("Performance Plan").

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INTRODUCTION

As a threshold matter, WorldCom agrees that the purpose of the PMRs in the Bell Atlantic/NYNEX Merger Order or the Performance Plan of the Bell Atlantic/GTE Merger Order is to provide the Commission with useful, current and accurate information regarding Verizon's performance.⁴ WorldCom and other CLECs rely on such performance reports to monitor the performance levels of Verizon and to determine whether CLECs are receiving service at "acceptable" levels. Given the importance of performance reporting, WorldCom urges this Commission to ascertain whether Verizon has successfully met its obligations pursuant to this merger condition.⁵

Common Trunk Blocking Metric Should Remain in Effect

The PMRs in the Bell Atlantic/NYNEX Merger Order include reporting on Common Trunk Blocking, while the Performance Plan in the Bell Atlantic/GTE merger conditions do not. Should the Commission grant Verizon's request to eliminate the Bell Atlantic /NYNEX PMRs, the Commission must incorporate Common Trunk Blocking to the list of measures and its subsequent reporting pursuant to the Bell Atlantic /GTE Performance Plan. Verizon greatly understates the necessity of this metric and the critical role it plays for competitive local exchange carriers ("CLECs").⁶ According to Verizon, it relies on the Common Trunk Blocking metric in order to measure the

⁴ See Verizon Letter at 5.

⁵ WorldCom urges caution in light of Verizon's failed compliance with PMRs in the past. See, e.g. Letter from Kenneth P. Moran, Chief-Accounting Safeguards Division, Common Carrier Bureau, FCC, to Patricia E. Koch, Bell Atlantic Corp., dated April 13, 1998, in which the Commission noted Bell Atlantic's failure to make corrections to measurements as requested by the Commission and its failure to standardize reporting between Bell Atlantic North and Bell Atlantic South. See also Letter from Kenneth P. Moran, Chief-Accounting Safeguards Division, Common Carrier Bureau, FCC, to Patricia E. Koch, Bell Atlantic Corp., dated June 24, 1998, in which the Commission expressed concerns regarding the number of errors in past PMRs and required Bell Atlantic to re-file the PMRs to address the Commission's concerns.

⁶ *Id.* at 4.

overflow of traffic from its direct end office connections . The CLECs, however, need the collection and reporting on this metric in order to ascertain the level of blocked calls on these trunks. CLECs further rely on this information in order to obtain augmentation of the trunks where the blocking rates are unacceptable. Verizon insists that CLECs make such a request. Without reporting on this metric, CLECs have no way of deciphering when blocking rates are problematic. It is therefore incumbent on the CLECs to monitor and analyze trunk blocking rates based on this metric, because Verizon will not perform the monitoring function on its own.

Indeed, contrary to Verizon's assertions with respect to measuring common trunk groups,⁷ there is no "parity by design". This measure as reported serves a critical function for CLECs. These trunks carry a large percentage of CLEC traffic volume while, on the other hand, they carry occasional overflow traffic for Verizon. Although Verizon states that the Percent Common Trunk Blocking metric is not included in the New York Performance Assurance Plan ("NY PAP"),⁸ other state commissions have rejected the "parity by design" argument and have appropriately acknowledged the importance of and have included the Percent Common Trunk Blocking in state performance plans.⁹

For all of these reasons, Verizon's obligation with respect to the Common Trunk Blocking metric and report must be retained and incorporated into the Bell Atlantic/GTE

⁷ *Id.*

⁸ *Id.*

⁹ For example, the Texas Public Service Commission approved both a Common Transport Trunk Blockage metric as well as a Percentage of Trunk Blockage metric as part of the docket captioned *Section 271 Compliance Monitoring of Southwestern Bell Telephone Company of Texas*, Docket No. 20400, Order Approving Modifications to Performance Remedy Plan and Performance Measurements (July 24, 2000).

Performance Plan should the Commission allow Verizon to eliminate its PMR obligations under the Bell Atlantic/NYNEX Merger Order.

Missing Notifiers

Additionally, Verizon notes that the Bell Atlantic/GTE plan (for the legacy Bell Atlantic service areas) is based on the NY PAP which includes measures that the “New York PSC determined were most important to competition for the Carrier-to-Carrier measures that had been developed through a two-year (and continuing) collaborative process with the CLECs”.¹⁰ Accordingly, WorldCom recommends that the Commission include a metric from the NY PAP that is not currently covered by the Bell Atlantic/GTE Performance Plan – missing billing completion notifiers. Such a notifier should include metrics for completed orders without a Billing Completion Notice (“BCN”) or Provisioning Completion Notice (“PCN”) or Due Date to BCN in 4 days. The standards for these metrics should be no more than 5% of orders missing PCNs or BCNs and 95% of BCNs delivered in 4 days. At the very least, this Commission should add the NY PAP metric, “Missing Notifier Trouble Tickets Be Cleared in Three Days”. WorldCom is still experiencing problems with missing notifiers in New York and Pennsylvania. Verizon should be required to provide the missing notifiers promptly to WorldCom so that it can inform customers of the status of their orders.

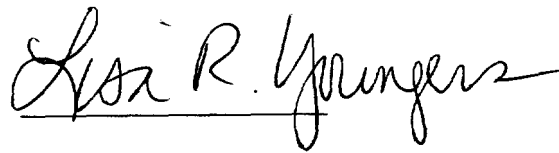
WorldCom also urges the Commission to adopt an achieved flow through set at 95% as CLECs are finding out that there are problems with failed orders. This should be based on the Achieved and a Total Flow through metrics in the NY PAP.

CONCLUSION

For the foregoing reasons, WorldCom respectfully requests that if the Commission grants Verizon's request to eliminate its obligations with respect to PMRs pursuant to the Bell Atlantic/NYNEX Merger Order, it should incorporate the modifications requested herein.

Respectfully Submitted,

WorldCom, Inc.

A handwritten signature in black ink, reading "Lisa R. Youngers", written over a horizontal line.

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Dated: April 19, 2001

¹⁰ Verizon Letter at 2.

Certificate of Service

I, Lonzena Rogers, do hereby certify, that on this eighteenth day of April, 2001, I have caused to be served by hand delivery and facsimile, a true and correct copy of WorldCom, Inc.'s Comments in the matter of CC Docket 98-184 and File No. NSD-L-96-10 on the following:

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